

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LARRY DONACHY and BRUCE) Docket No. 04-245E
KINLEY, on behalf of themselves and) (Judge Sean J. McLaughlin)
others similarly situated,)
Plaintiffs,) ELECTRONICALLY FILED PLEADING
)
v.) JURY TRIAL DEMANDED
)
MOTION CONTROL INDUSTRIES,) DEFENDANTS' MOTION FOR SUMMARY
DIVISION OF CARLISLE) JUDGMENT
CORPORATION, RETIREMENT PLAN)
FOR BARGAINING UNIT EMPLOYEES) Filed on behalf of: Defendants
OF MOTION CONTROL INDUSTRIES,)
DIVISION OF CARLISLE) Counsel of record for this party:
CORPORATION,) Richard A. Lanzillo, Esq.
Defendants) Knox McLaughlin Gornall
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DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, Motion Control Industries, Inc., Division of Carlisle Corporation, and Retirement Plan for Bargaining Unit Employees of Motion Control Industries, Division of Carlisle Corporation, hereby move for summary judgment pursuant to F.R.C.P. 56.

In support of this motion, defendants incorporate by reference their Concise Statement of Material Facts, Appendix of Exhibits, and Memorandum in Support of Motion for Summary Judgment:

For the reasons set forth in their accompanying memorandum, defendants are entitled to summary judgment on all claims of plaintiffs' Complaint. No material issue of fact remains for trial and defendants are entitled to judgment in their favor as a matter of law.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.

DATE: November 4, 2005

By: /s/ Richard A. Lanzillo

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